
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

TOMBSTONE EXPLORATION CORP.,

Plaintiff,

v.

EUROGAS, INC., et al.,

Defendants.

**MEMORANDUM DECISION AND
ORDER GRANTING MOTION FOR
ATTORNEYS' FEES AND COSTS**

Case No. 2:15-cv-00195-DN

District Judge David Nuffer

Plaintiff Tombstone Exploration Corp. (“Tombstone”) filed a motion (the “Motion”)¹ against Defendant EuroGas Inc. for attorneys’ fees and costs based on paragraph 12(b) of the parties’ Stock for Stock Exchange Agreement.² Having reviewed and considered the evidence presented and the arguments of the parties,³ and for good cause appearing, the following decision is rendered:

1. Although Tombstone had claims other than breach of contract, all of its claims in this case revolved around and were inextricably linked with the breach of contract claim upon which it prevailed against EuroGas.⁴

2. Tombstone’s reasonable attorneys’ fees incurred based upon, or arising out of, EuroGas’s breach of contract total \$190,248.

¹ Motion for Attorney Fees and Costs, [docket no. 130](#), filed April 19, 2018.

² Joint Trial Exhibit 134.

³ See Motion, *supra* note 1; EuroGas’s Opposition to Motion for Award of Fees and Costs, [docket no. 135](#), filed May 3, 2018; Plaintiff’s Reply Memorandum in Support of Its Motion for Attorney Fees and Costs, [docket no. 137](#), filed May 17, 2018.

⁴ Declaration of Matthew Lewis in Support of Motion for Attorney Fees and Costs, [docket no. 130-1](#), filed April 19, 2018; Supplemental Declaration of Matthew R. Lewis in Support of Attorney Fees and Costs, [docket no. 137-1](#), filed May 17, 2018.

3. Tombstone's reasonable costs incurred based upon, or arising out of, EuroGas's breach of contract total \$1,792.88.

4. Based on paragraph 12(b) of the parties' Stock for Stock Exchange Agreement, Tombstone should be awarded reasonable attorneys' fees and costs in the total amount of \$192,040.88.

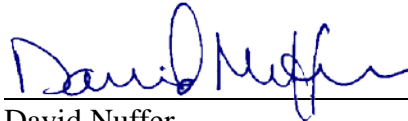
ORDER

THEREFORE, IT IS HEREBY ORDERED the Motion⁵ is GRANTED.

IT IS FURTHER HEREBY ORDERED that judgment will be entered in favor of Tombstone against EuroGas Inc. for reasonable attorneys' fees in the total amount of \$190,248 and costs in the total amount of \$1,792.88.

Signed November 20, 2018.

BY THE COURT:



David Nuffer
United States District Judge

⁵ [Docket no. 130](#), filed April 19, 2018.